



June 23, 2005

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attn: Art Unit 2891 - Examiner Zarneke, David A

FROM: George O. Saile, Reg. No. 19,572  
28 Davis Avenue  
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SUBJECT: Serial #: 10/692,028  
File Date: 10/23/2003  
Inventor: Beichao Zhang  
Examiner: Zarneke, David A  
Art Unit: 2891  
Title: Via Electromigration Improvement by Changing the Via Bottom Geometric Profile

### RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the Election of Species Requirement in the Office Action dated May 23, 2005. In that office action, applicant was required under 35 U.S.C. 121

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 23, 2005.

Signature   
Stephen B. Ackerman, Reg. No. 37,761

Date: June 23, 2005

to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable, and that currently no claim is generic.

Within the previously elected method claims 1-31, the species stated are:

IA) one that stops etching at the ARC, which reads on Claims 18-31, and

IB) one that etches the ARC, which reads on Claims 1-17.

Applicant provisionally elects to be examined the species described by the Examiner as Group IB, one that etches the ARC, which reads on Claims 1-17. This election is made with traverse of the requirement under 37 C.F.R. 1.143 for the reasons given in the following paragraphs.

The Examiner is respectfully requested to reconsider the Requirement for Election of Species given in the Office Action, because of the increased costs applicant would be forced to bear if the two species are separately examined. Furthermore, the field of search must necessarily cover both species, in addition to other related Classes and subclasses, to provide a complete and adequate search.

Withdrawal of the Election of Species Requirement, and allowance of the present Patent Application, is therefore respectfully requested.

It is requested that should there be any problems with this response, please call the undersigned Attorney at (845) 452-5863.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'SB' followed by a stylized flourish.

Stephen B. Ackerman, Reg. No, 37,761